

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON

ROBERT C. FABIAN,

Plaintiff,

Case No. 3:21-cv-265

vs.

JAMES R. TILLOTSON, *et al.*,

Defendants.

District Judge Michael J. Newman
Magistrate Judge Peter B. Silvain, Jr.

**ORDER DENYING WITHOUT PREJUDICE PLAINTIFF’S REQUEST FOR
PRELIMINARY INJUNCTION (DOC. NO. 3)**

This *pro se* civil case is before the Court on Plaintiff’s “request for [a] preliminary injunction and or temporary restraining order.” Doc. No. 3. Magistrate Judge Silvain is currently conducting an initial review of this complaint under 28 U.S.C. § 1915. Because this initial review is still pending, the Court finds it premature to rule on Plaintiff’s request for a preliminary injunction and/or temporary restraining order. *See, e.g., Good v. Ohio Dep’t of Rehab & Corr.*, No. 1:15cv190, 2015 WL 2452444, at *4 (S.D. Ohio May 21, 2015) (adopting report and recommendation that preliminary injunction be denied because *pro se* complaint was frivolous under Section 1915). Thus, the Court **DENIES WITHOUT PREJUDICE**, at this time, Plaintiff’s motion.

IT IS SO ORDERED.

September 29, 2021

/s Michael J. Newman

Hon. Michael J. Newman
United States District Judge

